

## Article - Health - General

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§7-403.

(a) (1) Except as otherwise provided in this title, an applicant for services provided or funded, wholly or partly, by this State shall submit an application to the Department in writing.

(2) The application shall contain the information that the Department requires.

(b) Within 60 days after the Department receives an application for services for an individual, the Secretary, on the basis of the application, shall:

(1) Determine whether there is a reasonable likelihood that the individual:

(i) Has developmental disability; or

(ii) Does not have developmental disability, but may be eligible for individual support services under subsection (c) of this section; and

(2) If a positive determination is made under item (1)(i) or (ii) of this subsection:

(i) Approve the application;

(ii) Determine the nature of the disability;

(iii) Determine the nature of services that the individual may require;

(iv) Determine the type of environment in which any needed services could be provided with the least restriction on the liberty of the individual;

(v) Determine what types of evaluations, if any, the individual requires;

(vi) Inform the individual of these determinations; and

(vii) Inform the individual that these determinations are preliminary and may be subject to modification as a result of further evaluation.

(c) To be eligible for individual support services, an individual shall have a severe chronic disability that:

(1) Is attributable to a physical or mental impairment, other than the sole diagnosis of mental illness, or to a combination of mental and physical impairments; and

(2) Is likely to continue indefinitely.

(d) If the Secretary determines, based on the application, that the individual has a sole diagnosis of mental disorder, the Secretary shall refer the individual to the Behavioral Health Administration.

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